

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
 CHUCK MacCONNACH and WALTER SCHMIDT,  
 individually, and on behalf of all others  
 similarly situated,  
 Plaintiff(s),

Index No. 08-5141

-against-  
 FIRST FRANKLIN FINANCIAL CORPORATION,  
 and MERRILL LYNCH & CO., INC., GLOBAL  
 MARKETS AND INVESTMENT BANKING GROUP,  
 Defendant(s).

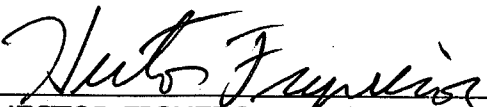
## AFFIDAVIT OF SERVICE

-----X  
 STATE OF NEW YORK)  
                                   S.S.:  
 COUNTY OF NEW YORK)

HECTOR FIGUEROA, being duly sworn, deposes and says that he is over the age of eighteen years, is employed by the attorney service, DLS, INC., and is not a party to this action.

That on the 11<sup>th</sup> day of July 2008, at approximately 12:55 p.m., deponent served a true copy of the **SUMMONS IN A CIVIL ACTION AND FIRST AMENDED CLASS ACTION COMPLAINT JURY TRIAL DEMANDED** upon Merrill Lynch & Co., Inc. Global Markets and Investment Banking Group c/o CT Corporation System at 111 8<sup>th</sup> Avenue, New York, NY 10011, by personally delivering and leaving the same with Axia Flores, Process Specialist, who informed deponent that she is an agent authorized by appointment to receive service at that address.

Axia Flores is a Hispanic female, approximately 45 years of age, stands approximately 5 feet 6 inches tall and weighs approximately 130 pounds with brown hair and brown eyes wearing glasses.

  
 HECTOR FIGUEROA #870141

Sworn to before me this  
 15<sup>th</sup> day of July 2008

  
 NOTARY PUBLIC

JONATHAN T. RIPPS  
 NOTARY PUBLIC - STATE OF NEW YORK  
 NO. 01RI6109718  
 QUALIFIED IN NEW YORK COUNTY  
 COMMISSION EXPIRES MAY 17, 2012